

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4289

IN THE MATTER OF:

Served April 29, 1994

Application of REGENCY SERVICES,)
INC., for a Certificate of)
Authority -- Irregular Route)
Operations)

Case No. AP-94-18

By application filed April 22, 1994, Regency Services, Inc. (Regency or applicant), a Maryland corporation, seeks a certificate of authority to transport passengers, together with baggage in the same vehicles as passengers, in irregular route operations between points in the Metropolitan District.

The application includes information regarding, among other things, applicant's corporate status, facilities, proposed tariff, finances, and regulatory compliance record.¹ The application is available for inspection at the office of the Commission during its regular business hours.

Applicant proposes commencing operations with 20 vehicles, with seating capacities ranging from 5 to 46 passengers. Applicant's proposed tariff contains flat rates for airport transfer service and hourly rates, with minimum charges, for charter service.

The first page of applicant's proposed tariff, Exhibit D, includes references to "Item 50" and "Item 100," and Items 510 and 515 refer to distance rates as calculated under Item 100. Items 50 and 100, however, have been omitted from Exhibit D. Further, the seating capacities listed in Exhibit D are not entirely consistent with the seating capacities stated in applicant's equipment list. Applicant will be directed to file an amended proposed tariff deleting references to omitted items and reconciling the seating capacities stated therein with the seating capacities stated in applicant's equipment list.

In determining whether to grant or deny an application for a certificate of authority, the Compact at Title II, Article XI, Section 7 requires that the Commission determine whether an applicant is fit, willing, and able to perform the transportation properly and conform to the provisions of the Compact and the Commission's rules, regulations, and requirements and whether the transportation is consistent with the public interest. Pursuant to Commission Rule No. 6, this order and fulfillment of its requirements will provide notice of Regency's application for a certificate of authority.

¹ As the application notes, applicant is presently under investigation for alleged unauthorized operations. See In re Regency Servs. & Paul Rodberg, No. MP-94-08, Order No. 4263 (Mar. 25, 1994).

THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than May 10, 1994, notice in the form prescribed by the staff of the Commission.

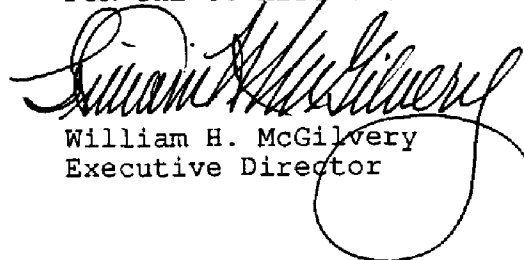
2. That applicant shall file with the Commission, no later than May 31, 1994, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

3. That applicant shall file with the Commission, no later than May 10, 1994, an original and four copies of an amended proposed tariff deleting references to omitted items and reconciling the seating capacities stated therein with the seating capacities stated in applicant's equipment list.

4. That any person wanting to protest the application, in accordance with Commission Rule No. 13 and Regulation No. 54-04(a), and any person wanting to comment on the application, in accordance with Regulation No. 54-04(a), shall file such protest or comment at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than May 31, 1994, and shall simultaneously serve a copy of such protest or comment on applicant's attorney, Gerald K. Gimmel, Esquire, 4 Professional Drive, Suite 145, Gaithersburg, MD 20879.

5. That any person seeking a formal oral hearing on this matter, in accordance with Commission Regulation No. 54-04(b), shall request one no later than May 31, 1994, and shall simultaneously serve a copy of such request on applicant's attorney, Gerald K. Gimmel, Esquire, 4 Professional Drive, Suite 145, Gaithersburg, MD 20879.

FOR THE COMMISSION:



William H. McGilvery
Executive Director